

TOWN BOARD WORKSHOP/MEETING JULY 26, 2016

A meeting was held at the Kent Town Hall, 25 Sybil’s Crossing, Town of Kent, New York, 10512.

Pledge of Allegiance- At 7:00 p.m. Supervisor Fleming called the Workshop Meeting to order with the Salute to the Flag.

Workshop- The board reviewed and discussed all the items on the workshop agenda.

Public Comment – There was none.

The Town Board Meeting was called to order with Roll Call

Supervisor Maureen Fleming – present Councilman Paul Denbaum – present
Councilwoman Jaime McGlasson – present Councilman Bill Huestis – present
Councilman Scott Chin – present

Also Present: Town Clerk Cappelli, Town Counsel Nancy Tagliaferro, Police Chief DiVernieri, Sue Kotzur Co-Chairperson of Kent Recycling and one resident.

Resolution#246- Hire Lake Carmel Park District Lifeguard

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent is seeking to fill a summer position for a lifeguard in the Lake Carmel Park District; and
WHEREAS, Elijah Tomas Hernandez has submitted an application which reflects the proper qualifications to fill the lifeguard position; and
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Elijah Tomas Hernandez as lifeguard of the Lake Carmel Park District at a rate of \$10 per hour; and
BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution.
Motion carried unanimously

Resolution#247- Authorizing Correction of Violations, Acceptance of Proposals& Charge to Property Owners

On a motion by Councilman Denbaum
Seconded by Councilman Huestis

WHEREAS, the Code Enforcement Officer of the Town of Kent has issued Orders to Remedy directing the owners of the following properties in the Town of Kent to remove all overgrowth of grass, weed and brush from exterior areas:

- | | |
|----------------------|--------------------|
| 13 Stuyvesant Road | Tax Map 22.56-1-21 |
| 20 Sebago Road | Tax Map 22.82-1-44 |
| 44 Towners Road | Tax Map 33.72-1-36 |
| 27 Longfellow Drive | Tax Map 22.74-1-43 |
| 12 Barrett Hill Road | Tax Map 33.24-1-64 |
| 33 Ticonderoga Road | Tax Map 22.80-1-7 |
- (the “Properties”); and

WHEREAS, the Orders to Remedy required the owner of each of the Properties to remove overgrowth from the exterior area of the Property or to, within ten days, submit a written request to the Code Enforcement Officer for a hearing to discuss remedial action to abate said violations; and

WHEREAS, more than ten days have elapsed since the service of the Order to Remedy and the owners of the Properties have failed to correct the violations as required, or to submit a written request to the Code Enforcement Officer to discuss remedial action to abate the violations; and

WHEREAS, pursuant to Chapter 55A of the Town Code of the Town of Kent regarding “Property Maintenance”, upon the failure, neglect or refusal of any owner to comply, the Building Inspector is authorized to correct a violation or cause such violation to be corrected subject to the approval of the Town Board; and

WHEREAS, the Town Board wishes to authorize the Building Inspector to immediately correct the violations at the Properties and the costs of such correction shall be charged to the property owners;

WHEREAS, consistent with the Town’s Procurement Policy, the Town of Kent requested written proposals from contractors to correct the violation on the Properties, copies of which are annexed hereto and incorporated by reference; and

WHEREAS, JB Affordable Lawn Care, Inc. of Fishkill, New York has submitted the lowest proposal to clear all six properties as follows:

- | | |
|----------------------|--------|
| 13 Stuyvesant Road | \$ 200 |
| 20 Sebago Road | \$ 75 |
| 44 Towners Road | \$ 50 |
| 27 Longfellow Drive | \$ 75 |
| 12 Barrett Hill Road | \$ 80 |
| 33 Ticonderoga Road | \$ 80 |
- and

WHEREAS, the Town Board of the Town of Kent wishes to accept the proposal submitted by JB Affordable Lawn Care, Inc. in the amount of \$560 as set forth above;

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NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the proposal of JB Affordable Lawn Care, Inc. for the correction of the violations on the Properties; and **BE IT FURTHER RESOLVED**, that the Town Board of the Town of Kent hereby authorizes and directs the Supervisor to execute any and all documents necessary to give effect to this resolution; and it is

FURTHER RESOLVED, that the actual cost of the correction of the violations, plus the accrued legal rate of interest per annum from the date of completion of the work, if not paid by the property owner, shall be charged to each property owner by the Town in accordance with Chapter 55A-12(B).

Motion carried unanimously

Resolution#248 - Authorizing Correction of Violation & Acceptance of Proposal/Charge to Property Owner

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy directing the removal of a dangerous tree on property located at 34 Larchmont Road and otherwise identified as Tax Map # 33.50-1-31 (the "Property"); and

WHEREAS, the Order to Remedy required the owner of the Property to remove the dangerous tree or submit a written request to the Code Enforcement Officer for a hearing to discuss remedial action to abate said violation within ten days; and

WHEREAS, more than ten days have elapsed since the service of the Order to Remedy and the owner of the Property has failed to correct the violation, or to submit the required written request to the Code Enforcement Officer to discuss remedial action to abate the violation; and

WHEREAS, pursuant to Chapter 55A of the Town Code of the Town of Kent regarding "Property Maintenance", upon the failure, neglect or refusal of any owner to comply, the Building Inspector is authorized to correct a violation or cause such violation to be corrected subject to the approval of the Town Board; and

WHEREAS, the Town Board wishes to authorize the Building Inspector to immediately correct the violation and the costs of such correction shall be charged to the property owner; and

WHEREAS, consistent with the Town's Procurement Policy, the Town of Kent requested written proposals from contractors to correct the violation on the Property, copies of which are annexed hereto and incorporated by reference; and

WHEREAS, Bill Henry Tree Service Inc. has submitted the lowest bid proposal; and

WHEREAS, the Town Board of the Town of Kent wishes to accept the bid proposal submitted by Bill Henry Tree Service, Inc. in the amount of \$750;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the bid of Bill Henry Tree Service Inc. for the correction of the violation on the Property; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes and directs the Supervisor to execute any and all documents necessary to give effect to this resolution; and it is

FURTHER RESOLVED, that the actual cost of the correction of the violation, plus the accrued legal rate of interest per annum from the date of completion of the work, if not paid by the property owner, shall be charged to the property owner by the Town in accordance with Chapter 55A(B). Subject to the contractor providing the Town with a certificate of insurance, naming the town as additional insured.

Motion carried unanimously

Resolution #249 - Authorizing Release of Escrow Carmel Brick Oven Pizzeria & Café TM#33.48-1-11

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, in connection with site plan approval for property located at 520 Route 52, Carmel, New York and otherwise identified as Tax Map # 33.48-1-11, \$516.08 posted by Carmel Brick Oven Pizzeria & Café, by Mr. Halil Alijaj, remains in an Escrow Fund; and

WHEREAS, Mr. Alijaj, has requested a refund of the remaining \$516.08 held in escrow since all site work has been completed; and

WHEREAS, the Planning Board, at their meeting held on July 15, 2016, approved Resolution #9 of Year 2016 recommending the refund of the remaining \$516.08 held in escrow and that the Town Board waive the two (2) year waiting period for the return of such funds; and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendation of the Planning Board to release the money held in escrow and waive the two year waiting period;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby waives the two (2) year waiting period and authorizes the release in the amount of \$516.08.

Motion carried unanimously

Resolution #250 -Authorizing Overtime for Town Justice Court Clerk

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

WHEREAS, due to an emergency situation the Town of Kent Justice Court has requested that the Town Board authorize overtime for Beth McKinney in her position as Court Clerk and authorize the extension of the hours of Lucy Pirro in her position as Part Time Court Clerk to up to forty (40) hours per week; and

WHEREAS, the Town Board wishes to authorize such overtime as needed and the extension of the hours of the Part Time Clerk; and

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NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby authorizes overtime as needed for Beth McKinney in her position as Court Clerk and the extension of the hours of Lucy Pirro in her position as Part Time Court Clerk to up to forty (40) hours per week; and it is

FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes and directs the Supervisor to execute any and all documents necessary to give effect to this resolution.

Motion carried unanimously

Resolution #251 - Approval of Vouchers and Claims

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: All Vouchers # - # and claims submitted by:

1. Arkel Motors	\$2,518.07	Auto Parts
2. City Carting	\$6,517.69	Lake Carmel Garbage
	\$5,178.76	
3. Mary Jane MacCrea	\$2,625.00	Legal Services
4. NYS Dept of Civil Service	\$190,987.77	Health Insurance
5. Purchase Power	\$2,000.00	Postage
6. Royal Carting	\$4,655.92	Recycling Garbage
7. Town of Kent Municipal Repairs	\$3,416.78	Chargebacks: Sanitation
	\$13,054.48	Chargebacks: Highway

In the amount of \$ may be paid.

Motion carried unanimously

Correspondence -attached

Public Comment – There were none.

Resolution #252 - Adjournment

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The Town Board meeting of July 26, 2016 adjourned at 7:56 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli
Town Clerk